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**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

086310-000000US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/500,947

INTERNATIONAL APPLICATION NO.

PCT/AU03/00012

INTERNATIONAL FILING DATE

January 7, 2003

PRIORITY DATE CLAIMED

January 7, 2002

TITLE OF INVENTION

DIE PLATE FOR A FOIL STAMPING MACHINE

APPLICANT(S) FOR DO/EO/US

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).


Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
 

Express Mail Label No. EV332020954US  
 Small Entity Statement  
 Request for Refund  
 Copy of Notification of Missing Requirements

statutory period has expired on  
7th Nov. 2004.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/500,947</b>		INTERNATIONAL APPLICATION NO. <b>PCT/AU03/00012</b>		ATTORNEY'S DOCKET NUMBER <b>086310-000000US</b>	
21. <input type="checkbox"/> The following fees are submitted:				<b>Applicant Use</b>	<b>Office use only</b>
<input type="checkbox"/> a) Basic national fee ..... <b>\$300.00</b>				\$	
<input type="checkbox"/> b) Examination fee ..... <b>\$200.00</b>				\$	
<input type="checkbox"/> c) Search fee ..... <b>\$500.00</b>				\$	
<b>TOTAL OF ABOVE CALCULATIONS = \$1000.00</b>				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =		x \$50.00	\$	
Independent claims	- 3 =		x \$200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 65.00	
<b>SUBTOTAL =</b>				<b>\$ 65.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$
<b>TOTAL NATIONAL FEE =</b>				<b>\$</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 65.00</b>	
Amount to be refunded:					\$ 540.00
Amount to be charged:					\$ 65.00
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>20-1430</u> in the amount of \$ <u>65.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>20-1430</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.					
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:			 SIGNATURE		
J. Georg Seka, Esq. Townsend and Townsend and Crew LLP Two Embarcadero Center, Eighth Floor San Francisco, California 94111			<u>J. Georg Seka</u> NAME		
			<u>24,491</u> REGISTRATION NUMBER		

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Alan J. FAWCETT and Glen L. WRIGHT

Int'l Application No.: PCT/AU03/00012

U.S. Application No.: 10/500,947

Int'l. Filing Date: January 7, 2003

For: DIE PLATE FOR A FOIL  
STAMPING MACHINE

Examiner:

Art Unit:

TRANSMITTAL LETTER –  
RESPONSE TO NOTIFICATION OF  
MISSING REQUIREMENTS

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January 20, 2005

Attn: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the Notification of Missing Requirements dated December 17, 2004,  
enclosed are the following to be made of record in the above-identified application:


- 1) Executed Declaration;
- 2) Two Executed Powers of Attorney;
- 3) Small Entity Statement;
- 4) Request for Refund;
- 5) Information Disclosure Statement, SB08, copy of International Search  
Report, and copies of non-U.S. references; and
- 6) Copy of Notification of Missing Requirements.

Please charge Deposit Account No. 20-1430 for the following fees:

Small Entity:	(a) Filing Fee (§ 1.16(a)) (Small Entity)	\$0
	(d) Missing Parts Surcharge	\$65
<b>TOTAL FEES TO BE CHARGED</b>		<b>\$65</b>

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in duplicate.

Respectfully submitted,

  
J. Georg Saka  
Reg. No. 24,491

**Customer No. 20350**

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 415-576-0200  
Fax: 415 576-0300  
JGS:sba

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Alan J. FAWCETT and Glen L.  
WRIGHT

Int'l Application No.: PCT/AU03/00012

Int'l Filing Date: January 7, 2003

U.S. Application No.: 10/500,947

For: DIE PLATE FOR A FOIL  
STAMPING MACHINE

Examiner:

Art Unit:

REQUEST FOR REFUND

January 20, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

On July 7, 2004, applicant paid the large entity national filing fee of \$1,080.00 as is evidenced by a copy of the postcard which carries a Patent Office date stamp of July 7, 2004.

The above-identified US National Phase application inadvertently did not claim small entity status, although Applicants were entitled to it. It has recently been discovered that such small entity status failed to be established in error due to inadvertence and without deceptive intent. Therefore, Applicants respectfully request the refund payment be processed and that the error be excused.


Alan J. FAWCETT and Glen L. WRIGHT  
Application No.:  
Page 2

PATENT

Applicants hereby authorize the Commissioner to credit half the fee in the amount of \$540.00 to the undersigned's Deposit Account No. 20-1430.

If the Examiner believes a telephone conference would expedite the granting of the requested credit, please telephone the undersigned at 415.576.0200.

Respectfully submitted,

  
J. George Saka  
Reg. No. 24,491

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: (415) 576-0200  
Fax: (415) 576-0300  
JGS:sba



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/500,947

FIRST NAMED APPLICANT

Alan J Fawcett

ATTY. DOCKET NO.

086310-000000US

INTERNATIONAL APPLICATION NO.

PCT/AU03/00012

IA. FILING DATE

01/07/2003

PRIORITY DATE

01/07/2002

20350

TOWNSEND AND TOWNSEND AND CREW, LLP  
 TWO EMBARCADERO CENTER  
 EIGHTH FLOOR  
 SAN FRANCISCO, CA 94111-3834

CONFIRMATION NO. 1167

371 FORMALITIES LETTER



\*OC000000014785279\*

*Response Due* 02/17/05

Date Mailed: 12/17/2004

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/07/2004
- English Translation of the IA filed on 07/07/2004
- Copy of the International Search Report filed on 07/07/2004
- Copy of IPE Report filed on 07/07/2004
- Preliminary Amendments filed on 07/07/2004
- U.S. Basic National Fees filed on 07/07/2004
- Priority Documents filed on 07/07/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$130** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

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The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 305-6421

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/500,947	PCT/AU03/00012	086310-000000US

FORM PCT/DO/EO/905 (371 Formalities Notice)